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July 22, 2003

Ms. Rosemary Center
General Counsel
Kentucky Registry of Election Finance
140 Walnut Street
Frankfort, Kentucky 40601

Re: Request for Advisory Opinion

Dear Ms. Center:

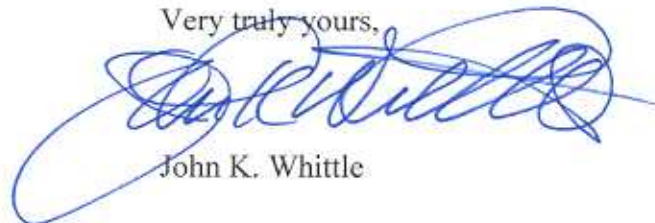
I am writing with a question on behalf of The Friends of Ernie Fletcher campaign committee. In March of this year, Curtis Shain filed suit against Hunter Bates in his individual capacity alleging that Mr. Bates was not qualified to hold the office of lieutenant governor. The Friends of Ernie Fletcher was not a party to that lawsuit.

KRS 121.175 provides that a campaign committee can spend money only on "allowable campaign expenditures." Subsection 1 of that statute states that allowable campaign expenditures do not include "expenditures of funds in a campaign account for any purpose ... which would bestow a private pecuniary benefit ... upon a candidate."

Under the statutes governing campaign committee expenditures, is the campaign committee responsible for payment of Mr. Bates' legal expenses or is Mr. Bates required to pay for his legal expenses?

If you need any additional information, please give me a call.

Very truly yours,



John K. Whittle